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13 Arthur Boynton, Corey Cooke, James Cox,  
14 Michael Crossman, Marina Crounk, Seth Davis,  
15 Scott Evers, Charles Fillman, Michael Fletcher,  
16 Tyler Hathaway, Leslie Healer, Danny Holland,  
17 Bert Jackson, Michael Koehn, Steven Kimbrell,  
18 Brent LaBeau, Thomas Lamb, E.K. McDaniels,  
19 Javier Ornelas, Jeanette Ornelas, Taylor Paryga,  
20 Glenn Perkins, Christopher Roberts, Christian Rowley,  
21 Duane Thompson, Tom Tolbert, and Sommer Westbay*

22 **UNITED STATES DISTRICT COURT**

23 **DISTRICT OF NEVADA**

24 KEVIN FERNANDEZ,

25 Plaintiff,

26 v.

27 JAMES GREG COX, et al.,

28 Defendants.

Case No.: 3:14-cv-00578-MMD-VPC

**STIPULATION AND ORDER TO  
EXTEND DEADLINE TO FILE  
STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE  
(SECOND REQUEST)**

29 Defendants, Renee Baker, Arthur Boynton, Corey Cooke, James Cox, Michael Crossman,  
30 Marina Crounk, Seth Davis, Scott Evers, Charles Fillman, Michael Fletcher, Tyler Hathaway, Leslie  
31 Healer, Danny Holland, Bert Jackson, Michael Koehn, Steven Kimbrell, Brent LaBeau, Thomas Lamb,  
32 E.K. McDaniels, Javier Ornelas, Jeanette Ornelas, Taylor Paryga, Glenn Perkins, Christopher Roberts,  
33 Christian Rowley, Duane Thompson, Tom Tolbert, and Sommer Westbay, ("NDOC Defendants"), by  
34 and through its counsel of record, Adam Paul Laxalt, Attorney General of the State of Nevada, and Erin  
35 L. Albright, Deputy Attorney General, and Plaintiff, Kevin Fernandez, by and through his counsel of  
36 record, Joseph Reiff, Esq., hereby stipulate to extend the time to file the Stipulation and Order of  
37 Dismissal with Prejudice by four (4) weeks.

On September 18, 2018, defense counsel provided plaintiff's counsel with the revised settlement agreement that reflected the majority of the changes requested by Plaintiff. On the same date, plaintiff's counsel provided the settlement agreement to the New Hampshire prison for delivery to Plaintiff.

To date, the New Hampshire prison has failed to provide the revised settlement agreement to Plaintiff for his review and signature. The extra time requested because the prison in New Hampshire is to allow time for Plaintiff to review the revised settlement documents in New Hampshire and return them to his counsel in Nevada who will then forward the documents to the undersigned.

Based on the foregoing, the parties respectfully request this Court extend the time to file the Stipulation and Order of Dismissal with Prejudice by four (4) weeks.

DATED this 27<sup>th</sup> day of September, 2018.

**PLAINTIFF, KEVIN FERNANDEZ**

By: /s/ Joseph Reiff

Joseph Reiff, Esq.

Representing, Plaintiff, Kevin Fernandez

DATED this 27<sup>th</sup> day of September, 2018.

## OFFICE OF THE ATTORNEY GENERAL

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Attorneys for Defendants

## IT IS SO ORDERED

Dee  
United States Magistrate

**United States Magistrate Judge**

DATED 9/28/2018

## CERTIFICATE OF SERVICE

I certify I am an employee of the Office of the Attorney General, State of Nevada, and that on this 27<sup>th</sup> day of September, 2018, I caused to be deposited for mailing a copy of the foregoing **STIPULATION AND ORDER TO EXTEND DEADLINE TO FILE STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE (SECOND REQUEST)**, addressed as follows:

Kevin Fernandez #110185  
New Hampshire State Prison  
P.O. Box 14  
Concord, NH 03302

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Paul Penny  
An employee of the  
Office of the Attorney General